



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Cohen and Sampath  
Creative BioMolecules, Inc.  
08/851,628 EXAMINER : David S. Romeo  
May 6, 1997 ART UNIT: 1646  
NOVEL THERAPIES FOR CHRONIC RENAL FAILURE

TECH CENTER 1600/2800

24/E

MQJ

11/10/00

Assistant Commissioner for Patents  
Washington, D.C. 20231

November 9, 2000  
Boston, Massachusetts

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JUN 12 2001

AMENDMENT AND RESPONSE

TECH CENTER 1600/2800

This paper is in response to the May 9, 2000 Office Action. A check in the amount of \$445.00 is enclosed to cover the petition fee for a three month extension of time pursuant to 37 C.F.R. § 1.17(a)(3). With the extension, these documents are due November 9, 2000. The Commissioner is hereby authorized to charge any additional fees that may be due, or credit any overpayment, to Deposit Account No. 50-0311, Ref. No. 00960-515.

AMENDMENTS UNDER 37 C.F.R. §1.111

*In the Claims:*

Please amend the claims as follows:

1. (Three Times Amended) A method of improving renal function [treatment for] in a mammal in, or at risk of, chronic renal failure comprising administering to said mammal a therapeutically effective amount of [an OP/BMP renal therapeutic agent] a morphogen, said morphogen comprising an amino acid sequence having at least 70% amino acid sequence homology with the C-terminal seven-cysteine skeleton of human OP-1, amino acids 330-431 of SEQ ID NO:1;

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wherein said mammal is not a kidney transplant recipient, and is afflicted with a non-immune, noninflammatory condition [selected from the group consisting of chronic diabetic nephropathy, diabetic glomerulopathy, diabetic renal hypertrophy, hypertensive nephrosclerosis, hypertensive glomerulosclerosis, renal dysplasia, glomerular hypertrophy, tubular hypertrophy, glomerulosclerosis and tubulointerstitial sclerosis];